

REMARKS

In view of the following comments, and pursuant to 37 C. F. R. § 1.111, Applicant respectfully requests reconsideration of the Office Action mailed May 31, 2007.

Summary

Claims 1-3 and 5 have been rejected under 35 U.S.C. § 103(a). Claim 4 has been identified as allowable if rewritten into independent form including all of the limitations of the base claim. However, claim 4 has been objected to as being dependent upon rejected base claim 1. In this response, Applicants have amended claims 1 and 2, and have added new claim 6. The amendment of claim 2 is for grammatical and clarification purposes only and is not related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

No new subject matter has been entered as a result of these amendments. Claims 1-6 are currently pending.

Claims 1: Rejection under 35 U.S.C. § 103(a)

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,987,508 ("Numata *et al.*") in view of U.S. Pat. No. 5,305,238 ("Star, III *et al.*"). Claim 1 has been amended and Applicants submit that the references, alone or in combination, do not teach or suggest all of the recitations of amended independent claim 1. In particular, neither Numata *et al.* or Star, III *et al.*, alone or in combination, teach or suggest "when a display screen of the display unit is switched, said at least one actuator is driven to move the operating part so as to move the cursor to a default position set in the switched display screen at a predetermined moving rate."

Amended claim 1 now recites that "when a display screen of the display unit is switched, said at least one actuator is driven to move the operating part so as to move the cursor to a default position set in the switched display screen at a predetermined moving rate." Support for this amendment can be found throughout the specification as filed, and in particular, at pages 12-14.

According to the Office Action mailed May 31, 2007 ("Office Action"), Numata *et al.* does not teach or suggest all of the recitations of claim 1:

Numata *et al.* does not disclose a display unit which displays a cursor and at least one button, the controller calculates an the operated distance and an operated direction of the operating part based on at least one position signal output from said at least one position sensor, and moves the cursor based on the calculated operated distance and the calculated operated direction of the operating part, wherein, when a display screen of the display unit is switched, said at least one actuator is driven to move the cursor to a default position set in the switched display screen at a predetermined moving rate. Office Action, p.3

Numata *et al.* still does not disclose the structure of claim 1 as amended.

The Office Action then states that Star, III *et al.* discloses the subject matter of original claim 1 not disclosed by Numata *et al.* See Office Action, p.4. However, Applicants respectfully submit that Star, III *et al.* does not teach or suggest the recitation of amended claim 1 of "when a display screen of the display unit is switched, said at least one actuator is driven to move the operating part so as to move the cursor to a default position set in the switched display screen at a predetermined moving rate."

Star, III *et al.* is generally directed to "computer keyboards and other computer peripheral units incorporating a data input monitor." Star, III *et al.*, col. 1, ll. 9-11. In one embodiment, Star, III *et al.* discloses that a peripheral unit includes a "trackball assembly 214," which includes a "trackball 216." According to Star, III *et al.*, the "trackball 216" permits "a user to impart directional cursor information to the computer." See *id.* at col. 11, ll. 37-50. Star, III *et al.* also discloses that several buttons surround the "trackball 216":

Surrounding track ball 216 is a left-hand clicker button 218, a right-hand clicker button 220, a drag lock button 222, and a speed change button 224. Trackball 216 is rotated to move the cursor across the screen to the desired location. Clicker buttons 218 and 220 are conventional and respond similar to push buttons for locking the cursor into a specific location or icon on the screen. Drag lock button 14 is utilized to lock onto an icon, or the like, and drag the icon over the screen to a new location based upon the movement of the cursor. *Id.* at col. 11, ll. 51-60.

Star, III *et al.* further discloses that a "speed change button 224" can change the ratio of the movement of a cursor over a screen in relation to the movement of the "trackball 216":

Speed change button 224 changes the ratio of the movement of the cursor over the screen in relation to the movement of the trackball 216. The speed mode is displayed by LEDs 78-82, which are shared by the data input monitor and the trackball assembly. Most trackballs are designed to have a resolution of approximately 200 counts per inch. This is a default position and is normally identified with one of the LEDs 78-82. When speed change button 224 is depressed, the system might electronically speed up or double the movement rate of the cursor in relationship to the trackball to increase the speed to 400 counts per inch. This will illuminate another one of the LEDs 78-82. When speed button 224 is pushed again, the rate might slow to only 50 dots per inch. Again, a different LED will be illuminated to represent that speed change. This embodiment of the trackball assembly accommodates five different and programmable speed changes. *Id.* at cols. 11-12, ll. 61-10.

According to the Office Action, the above excerpt illustrates that Star, III *et al.* discloses "wherein, when a display screen of the display unit is switched, said at least one actuator is driven to move the cursor to a default position set in the switched display screen at a predetermined moving rate." See Office Action, p. 4.

However, Star, III *et al.* does not disclose the recitation of amended claim 1 of "when a display screen of the display unit is switched, said at least one actuator is driven to move the operating part so as to move the cursor to a default position set in the switched display screen at a predetermined moving rate." As Star, III *et al.* discloses, the "speed change button 224" merely changes the "ratio of the movement of the cursor over the screen in relation to the movement of the trackball 216." The "speed change button 224" does not drive "an operating part so as to move the cursor to a default position set in the switched display screen at a predetermined moving rate." According to Star, III *et al.*, the "trackball 216" is used to impart "directional cursor information to the computer." Star, III *et al.* does not disclose that there is any operational connection between the "speed change button 224" and the "trackball 216" that causes movement of the cursor over a display. In other words, Star, III *et al.* does not disclose that the "speed change button 224" is driven to move the "trackball 216" so as to move the cursor to a default position set in a switched display screen at a predetermined moving rate. Thus, Star, III *et al.* does not teach or suggest all of the recitations of amended claim 1.

Accordingly, as neither Numata *et al.* nor Star, III *et al.* teach or suggest all of the recitations of amended claim 1, claim 1 is allowable over Numata *et al.* in view of Star,

III *et al.* As amended claim 1 is allowable, the claims that depend therefrom are also allowable.

Claims 2-3 and 5: Rejections under 35 U.S.C. § 103(a)

Claims 2-3 and 5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Numata *et al.* in view of Star, III *et al.* as applied to claim 1, and in further view of U.S. Pat. App. Pub. No. 2002/0054019 ("Rosenberg *et al.*"). As claims 2-3 and 5 depend directly or indirectly on claim 1, claims 2-3 and 5 are allowable over the cited references for at least the same reason as claim 1. Furthermore, Rosenberg *et al.* does not make up for the deficiencies of Numata *et al.* or of Star, III *et al.* Accordingly, claims 2-3 and 5 are allowable over Numata *et al.* in view of Star, III *et al.*, and in further view of Rosenberg *et al.*

Claim 4: Objection

Claim 4 has been identified as having allowable subject matter over the cited references, but has been objected to as being dependent upon rejected base claim 1. However, as amended claim 1 is allowable over the cited references, claim 4 is also allowable for at least the same reason as claim 1. Accordingly, Applicants respectfully request withdrawal of the objection to claim 4.

New Claim 6

In this response, Applicants have added new claim 6. New claim 6 includes the subject matter of original claim 1 and original claim 4, and does not contain new subject matter. As original claim 4 was found to have allowable subject matter over the cited references in the Office Action, Applicants respectfully submit that claim 6 is also allowable for at least the same reason as original claim 4. Accordingly, Applicants respectfully request allowance of claim 6 over the cited references.

Conclusion

Therefore, in view of the above amendment and remarks, Applicants respectfully submit that this application is in condition for allowance and such action is earnestly requested.

If for any reason the Examiner is not able to allow the application, he is requested to contact the Applicants' undersigned attorney at (312) 321-4200.

Respectfully submitted,

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